

OFFICIAL FILE

ILLINOIS COMMERCE COMMISSION

ILLINOIS
COMMERCE COMMISSIONSTATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

Jul 8 2 21 PM '02

IN THE MATTER OF:

CHIEF CLERK'S OFFICE

THE PETITION OF THE CITY OF PEKIN, A
MUNICIPAL CORPORATION, FOR APPROVAL
PURSUANT TO 735 ILCS 5/7-102 TO CONDEMN
A CERTAIN PORTION OF THE WATERWORKS
SYSTEM OF ILLINOIS-AMERICAN WATER
COMPANY.

NO. 02-0352

MOTION FOR LEAVE TO APPEAR AS COUNSEL IN ILLINOIS

NOW COMES the Petitioner in the above action, The City of Pekin by its attorneys Patrick E. Oberle, Burt L. Dancey, and William P. Streeter, of Eliff, Keyser, Oberle & Dancey, P.C., and Edward D. McNamara, Jr., of McNamara & Evans, and hereby requests of the Administrative Law Judge that Benita A. Kahn, of the law firm Vorys, Sater, Seymour and Pease, L.L.P. of Columbus, Ohio, be granted leave to act as co-counsel in representing The City of Pekin in the above action as provided for in Section 200.90(a) of the Rules of Practice of the Illinois Commerce Commission and, in support of this Motion, states the following:

1. Attorney Kahn is an attorney in good standing in the State of Ohio and has been admitted to practice by the Bar of the State of Ohio since 1982;
2. Attorney Kahn is familiar with the facts of the above action and has particular expertise with regards to public utility and eminent domain proceedings;
3. State of Ohio Supreme Court Rules allow admission to appear as counsel by attorneys registered in foreign jurisdictions as custom under Section 2 of Supreme Court Rule I, *Requirements for Attorneys Practicing Before the Supreme Court*, as follows:

(A) The Supreme Court may permit any attorney who is admitted to practice in the highest court of a state commonwealth, territory, or possession of the United States or the District of Columbia, or who is admitted to practice in the courts of a foreign state to appear pro hac vice and file pleadings, memoranda, briefs, or other documents or participate in oral argument before the Supreme Court.

(B) Admission pro hac vice will be allowed only on motion of an attorney admitted to practice in Ohio and registered with the Clerk for active status. The motion shall briefly and succinctly state the qualifications of the attorney seeking admission. It shall be filed with the first pleading or brief in which the attorney seeks to participate or at least 30 days before oral argument if the attorney seeks only to participate in oral argument. The Supreme Court may withdraw admission pro hac vice at any time.
(State of Ohio SCt R I, Sec. 2)

4. It is submitted that this Motion is of and by all attorneys of record as representing

The City of Pekin and that said attorneys, Patrick E. Oberle, Burt L. Dancey, William

P. Streeter, and Edward D. McNamara, Jr., are admitted to practice in Illinois;
5. Upon the granting of this Motion, notices should be sent to Attorney Kahn at the

following address:

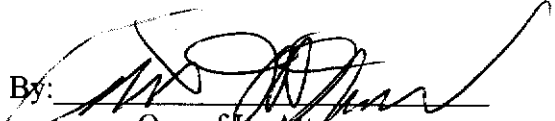
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WHEREFORE, The City of Pekin requests that Benita A. Kahn be granted

leave to act as co-counsel in representing The City of Pekin in Illinois Commerce Commission

Docket No.: 02-0352.

**RESPECTFULLY SUBMITTED,
THE CITY OF PEKIN**

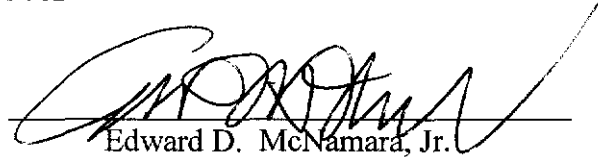
By: 
One of Its Attorneys

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CERTIFICATE OF SERVICE

Edward D. McNamara, Jr., an attorney, hereby certifies that he served copies of the foregoing MOTION FOR LEAVE TO APPEAR AS COUNSEL IN ILLINOIS on the individuals shown on the attached Service List, via electronic mail and First Class U.S. Mail delivery, postage prepaid and properly addressed, on Monday, July 8, 2002.



Edward D. McNamara, Jr.

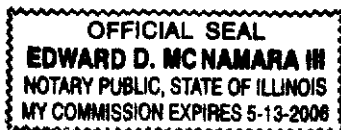
VERIFICATION

I, Edward D. McNamara, Jr., certify that: (i) I am one of the attorneys for The City of Pekin;
(ii) I have read the foregoing MOTION FOR LEAVE TO APPEAR AS COUNSEL IN ILLINOIS;
(iii) I am familiar with the facts stated therein; and (iv) the facts are true and correct to the best of my knowledge.


Edward D. McNamara, Jr.

SUBSCRIBED and SWORN to before me
this 8th day of July, 2002.


Notary Public



SERVICE LIST

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